APPENDIX

I. Excerpts from reports of Commissioner of Indian Affairs concerning sales of Pottawatomie lands.

A. Report of 1895 (H. Doc. No. 5, 54th Cong., 1st Sess., p. 88):

> Under the authority thus granted, speculators, land sharks, and some bona fide settlers vied with each other in their hasty attempts to purchase the lands and homes of these Indians, until the more sensible and provident members of the tribes became alarmed and urged the Government to put a stop to this wholesale disposal of their lands before the tribes should be entirely robbed of their individual holdings. In fact, before the rules and regulations prescribed by the act could be properly prepared by this office, approved by the Department, printed, and sent out to the Sac and Fox Agency for general circulation and information, over one hundred deeds had been received here, covering all the land these individual Indians severally owned and were allowed under the act to sell.
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> The prices named in the deeds at once attracted the attention of this office, being much below the rates fixed by Congress to be paid for the remainder of the lands ceded to the United States after selections of allotments should have been made by the Indians. (See section 16 of act of March 3, 1891, 26 Stat., p. 1026.) Indeed, the utmost difficulty has been experienced by this

office to obtain a fair valuation for the various tracts sold and to secure evidence of the payment of the consideration money and its retention by the Indian and to restrain the Indian from returning a portion of the purchase money to the purchaser.

Some of these Indians may use the purchase money to inclose and improve the land retained; if so, then the sale should be consummated, for many of them have not the means to break land and build houses nor to inclose their lands so as to protect them from trespass by the "grazing leasers."

These instances, however, are few and hard to detect, the large majority of sales being mainly in the interest of the purchasers. On their part the purchasers are encouraged in their movements by public sentiment in that region, it being well known that until the lands get into possession and ownership of white men and thereby become taxable, the counties are contracted to that extent in their power to develop and improve, for lack of funds which would be derived from taxation of those lands.

From the character of the conveyances submitted under this legislation and the difficulty of securing their just rights for the Indians, I most urgently recommend that if Congress will not repeal the present law on the subject, at least it do not enact similar legislation for many years to come respecting the sale of land by any tribe to whom lands in severalty have been allotted and patented under the general allotment act of 1887, known as the "Dawes Act," with its amendment of 1891.

B. Report of 1896 (H. Doc. No. 5, 54th Cong., 2d Sess., pp. 90–91):

> A large percentage of this land was originally purchased from the Indians at a consideration much below its real value, and not always for cash or current money of the United States, as required by the rules and regulations adopted by the Department to be observed in the execution of such conveyances. No deed, however, has been approved where satisfactory evidence has not been presented showing a subsequent cash payment to the amount of the full value of the land, as appraised by one of the special Indian agents or by an inspector of the Department.
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> There seems to be some abatement in these conveyances, the Indians as well as the purchasers having ascertained that the Department must be fully satisfied of the bona fides of the transaction, and of the adequacy and payment of the consideration money. The majority of the conveyances now presented are made by Indians resident in Kansas or elsewhere than in Oklahoma, showing that the desire to sell rather than to retain or lease their lands is waning, or that the efforts of speculators to secure these tracts are less persistent. But for the decisive stand taken by this office and upheld by the Department much more of the holdings of these Indians would have been wrested from them by persistent purchasers.

C. Report of 1898 (H. Doc. No. 5, 55th Cong., 3rd Sess., p. 101):

> This office and the Department have given much thought to the adoption of some regu-

lation which would not entail unreasonable expense upon the purchaser and yet would secure to the Indian the payment of the consideration money for the land transferred. Since Congress authorized these Indians to dispose of their lands many deeds have been filed in this office which have borne strong evidence of bad faith on the part of purchasers, and, in some instances, the Indians, through ignorance or duress, have been in collusion with the purchasers in endeavoring to secure the approval of the deed of conveyance by the Department. Notwithstanding all the precautions that have been adopted, in requiring a deposit with the United States Indian agent, or in some reliable national bank, of the whole of the purchase money for the land conveyed, complaints arise that the Indians do not always obtain from the bank the whole amount named in the certificate of deposit, especially in cases where it is impracticable for the agent to accompany the Indian when his certificate of deposit is paid to him.

To forestall schemes between the vendee and the bank of deposit for discounting the certificate of deposit some have adopted the method of collecting through their local banks, but attempts are made to evade this and to overreach the Indian by making the certificate of deposit payable to the Indian rather than to the order of the Indian. I am satisfied that, with the safeguards that have been thrown around these transactions, frauds upon the Indians in making payment for their lands are becoming less frequent, and it is hoped that they may finally be eliminated.

U. S. GOVERNMENT PRINTING OFFICE: 1944